

**Protocol between the Montgomery County Office of the Department of Child Services  
and the Crawfordsville Police Department**

The Montgomery County Child Protection Service will continue to provide twenty-four (24) hour child protection services through utilization of the present staff of County Director, 2 Supervisors and Family Case Managers and local law enforcement agencies. Each CPS worker will equally share the on-call responsibilities during non-office hours. Ongoing investigation responsibilities will be distributed among these professionals to best utilize their talents and expertise while assuring a comprehensive follow through of complaint investigations.

During non-office hours, the telephone for the Montgomery County Child Protection Service, 765-362-8020 (toll free 1-800-800-5556) will be answered by dispatchers at the Crawfordsville Police Department. The caller will be asked to provide his name and telephone number, enabling the on-call Family Case Manager to contact the caller directly. The dispatcher, utilizing guidelines established by CPS, will assess whether the nature of the situation warrants immediate notification of the Family Case Manager on call. If the dispatcher is uncertain whether the FCM should be contacted immediately, the dispatcher will seek the advisement of the officer in charge of the shift. In those circumstances warranting immediate notification, the dispatcher will contact the FCM who will respond promptly back to the caller. If the caller refuses to provide his name or telephone number, the dispatcher will document basic information pertaining to the complaint, including an assessment as to whether the life or well-being of the child is in immediate danger. Other callers will be requested to call the CPS office during the next working day and CPS will directly contact any callers who do not call back. The dispatcher will contact CPS the next working day in the event a report is received after hours and does not necessitate immediate contact of the FCM on call.

Local law enforcement agencies and CPS will continue to work in partnership to protect children. LEA will support CPS in taking protective custody of children and in situations which CPS deems necessary. Facilities at both the Crawfordsville Police Department and Montgomery County Sheriff's Office are available to CPS for interviewing clients when their use would be beneficial. Reports of suspected child abuse or neglect received directly by law enforcement officers will be promptly sent to CPS. CPS will immediately contact the appropriate law enforcement agency in situations where CPS has reason to believe a criminal investigation may be warranted such as in allegations of child abuse. Written reports from CPS will be sent to LEA to facilitate LEA investigations or at the request of LEA.

All reports indicating the life or well-being of a child is in immediate danger shall be responded to immediately. The Crawfordsville Police Department and the Montgomery County Sheriff's Department have been authorized by the Judge of the Circuit Court to respond immediately to such reports and will be met by the CPS on-call worker when appropriate at the location of the allegedly abused or neglected child. The on-call case manager will stay within an hour's distance to be able to respond within the one (1) hour time constraint specified by law. Investigations of all reports in which a child has been alleged to be a victim of abuse will be initiated within twenty-four (24) hours to insure protection of the child. Initiation of an abuse or neglect investigation occurs at the point when CPS or LEA has obtained adequate evidence to assess the safety of the child alleged to be at risk. All other reports to CPS will be assessed, prioritized and initiated within five (5) days of receipt.

CPS, LEA, the Prosecutor and Coroner have entered into an agreement and related protocols for the review of all abuse / neglect related child fatalities. The information gleaned from these case reviews will assist in the identification and modification of intervention services.

As specified by law, CPS, upon receipt of a report of suspected child abuse or neglect from a hospital, community mental health center, physician or school, will forward a follow-up report to the referral source within thirty (30) days. A second follow-up report will be sent within ninety (90) days if additional information is secured,

If it is the opinion of CPS or LEA that immediate protective custody is necessary to protect the child from further abuse or neglect, and there is a reasonable opportunity to obtain an order from the Juvenile Court, then the Judge of the Juvenile Court shall be contacted for an emergency order. If there is no reasonable opportunity for CPS or LEA to obtain an emergency order from the Court, then they will jointly take the child into emergency custody as authorized by state law and by standing order of the Juvenile Court. CPS staff will take children into protective custody independent of LEA only when circumstances make it impractical to obtain assistance of LEA. Law enforcement agencies will independently exercise their powers to take children into protective custody when necessary pursuant to PL 31-6-4-4, the reasons for taking a child into custody and the steps to obtain a court order or why a court order was unobtainable must be documented by the person taking custody of the child without a court order. Law enforcement agencies have been provided copies of a draft form that outlines the reasons for taking custody of a child without an order of the court. This form must be completed within twenty-four (24) hours by the person taking custody and immediately forwarded to CPS. Emergency custody and detention shall be subject to a court hearing within forty-eight (48) hours of the action.

The primary purpose of taking custody of a child is to ensure that the immediate needs of the child (medical care, shelter, food, safety, protection, and / or other crisis services) are adequately met. The needs of the child are to be CPS first priority. IC 31-6-3-3.5 requires that notice of removing a child must be given to the custodial parent, guardian or custodian. Reasonable efforts must be made by CPS to notify the parent, guardian or custodian within two (2) hours of the removal of their child(ren). If, after making reasonable efforts, the custodial parent, guardian or custodian cannot be located within two (2) hours, then written notice is to be delivered to the last known address within six (6) hours. If the custodial parent, guardian or custodian resides out of state, the notice must be sent by certified mail the same day as the child's removal. In cases when the child is removed on a non-business day, the notice must be sent the next business day.

State Form 47114 (Advisement of Legal Rights: Taking Custody of Children) provides the custodial parent, guardian or custodian with written notification that their child(ren) have been taken into custody and states their legal rights according to 31-6-4-6.1. Child Protective Services must give verbal and written notice to each parent, guardian or custodian for each child abuse / neglect investigation.

The policy of prevention of placement of children at risk through delivery of family preservation services has been adopted and implemented by CPS in accordance with state law. For children who are removed from their parent's home, CPS primary objective is to continue to provide the child and family with the appropriate family services in an attempt to reunify the child with the family. If the goal of reunification is not attainable, after reasonable efforts have been made, then CPS will establish a permanency plan which will include the least restrictive home-like environment that best meets the child's long-term needs. Other community social service agencies and independent contractors participate actively through providing essential direct client services to prevent out of home placements and reunify families.

Upon request of CPS, mental health professionals will assist when feasible, in the investigation and assessment of reports of child abuse or neglect by working jointly with CPS. These requests

for assistance shall be limited to circumstances where the perspective of a trained therapist may be of vital importance in the assessment of a situation.

The County Prosecutor and CPS will continue to have a close working relationship. A copy of each written report shall be made available to the County Prosecutor in a timely manner. Child Protective Services shall report, for possible prosecution, persons whom the agency has reason to believe made a malicious or bad faith report and persons whom the agency has reason to believe were aware of the abuse or neglect of children but knowingly failed to report this information to the agency.

The Montgomery County Child Protection Team consists of community-wide multidisciplinary members who serve in a voluntary capacity. The team's role shall continue to be diversified. The Team will receive copies of all reports of child abuse or neglect. The Team, consisting of eleven members, shall provide comprehensive assessments and recommendations regarding complaint investigations and individual case management situations. These services shall continue to be provided at the discretion of CPS, the Judge of the Circuit Court, or the Team coordinator. As they attain expertise in the field of child protective services, Team members are available as resource people in the community. The Team may consider complaints regarding CPS responsibilities as they pertain to child abuse and neglect cases.

Entered into this 5<sup>th</sup> day of January, 2007, between the Montgomery County Office of the Department of Child Services and the Crawfordsville Police Department.

  
Local Office Director

  
Chief of Police

**Protocol between the Montgomery County Office of the Department of Child Services  
and the Crawfordsville Police Department**

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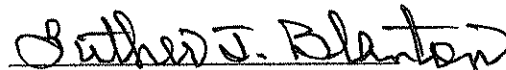
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Entered into this 1<sup>st</sup> day of January, 2007, between the Montgomery County Office of the Department of Child Services and the Montgomery County Sheriff's Office.

  
Local Office Director

  
County Sheriff

**Protocol between the Montgomery County Office of the Department of Child Services  
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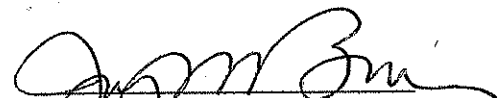
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Entered into this 19 day of January, 2007, between the Montgomery County Office of the Department of Child Services and the Montgomery County Prosecutor's Office.

  
Local Office Director

  
County Prosecutor

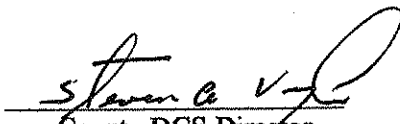
**Protocol between the Montgomery County  
Office of the Department of Child Services  
And  
The Crawfordsville Police Department  
Concerning the report of child abuse or neglect  
Fatalities**

Whenever a suspicious child fatality occurs, the officer in charge of the investigation will make immediate contact with the Montgomery County Department of Child Services to assure that the agency is aware of the death. The county DCS office will complete a written report, form (310) Preliminary report of Alleged Child Abuse or Neglect, and will make a copy available to the law enforcement agency (LEA). The DCS and LEA will discuss whether or not the DCS needs to be involved in the investigation to assist in interviews, to assess risk to surviving siblings, or to help evaluate elements related to possible abuse or neglect. When the investigation is completed, LEA will forward a copy of the investigation report to DCS. The County DCS office's report of the investigation, (Form 311) Investigation of Alleged Abuse or Neglect, will be made available to LEA.

Suspicious child fatalities include, but are not limited to the following:

1. Homicide with an alleged perpetrator in a caregiver role;
2. Accidental death where questions of caregiver negligence are raised;
3. Natural death (including SIDS) where the condition of the body or autopsy suggest abuse or neglect;
4. Suicide, if abuse or neglect may be a contributing factor;
5. Death of a child being supervised by the Department of Child Services, either as a Child in Need of Services or by Informal Adjustment or by Service Referral Agreement

Entered into this 5th day of January, 2007, between the Montgomery County Department of Child Services and the Crawfordsville Police Department.

  
County DCS Director

  
Crawfordsville Police


**Protocol between the Montgomery County  
Office of the Department of Child Services  
And  
The Montgomery County Sheriff's Department  
Concerning the report of child abuse or neglect  
Fatalities**

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County Director

  
Law Enforcement Official

**Protocol between the Montgomery County  
Office of the Department of Child Services  
And  
The Montgomery County Coroner  
Concerning the report of child abuse or neglect  
Fatalities**

Whenever a suspicious child fatality occurs, the Montgomery County Coroner will make immediate contact with the Montgomery County Department of Child Services to assure that the agency is aware of the death. The County DCS Office will complete a written report, form (310) Preliminary Report of Alleged Child Abuse or Neglect, and will make a copy available to the coroner. After an investigation, the coroner will submit any findings to the appropriate law enforcement agency, the prosecutor, the local DCS office and to a hospital if the hospital made the referral. The County DCS office's report of the investigation, (311) Investigation of Alleged Abuse or Neglect, will be made available to the coroner.

Suspicious child fatalities include, but are not limited to the following:

1. Homicide with an alleged perpetrator in a caregiver role;
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5. Death of a child being supervised by the Department of Child Services, either as a Child in Need of Services or by Informal Adjustment or by Service Referral Agreement.

Entered into this 19<sup>th</sup> day of January, 2007, between the Montgomery County Department of Child Services and the Montgomery County Coroner.

  
County Director

  
County Coroner

## Montgomery County Abandoned Infant Protocol

- I. Purpose:  
The Montgomery County Abandoned Infant Protocol will establish coordination and cooperation between Emergency Medical Services (EMS) and Child Protective Services (CPS) in regards to infants meeting the definition of SEA 330.
- II. Definitions within SEA 330:  
Abandoned Infant – This is defined as a child who is, or who appears to be, not more than thirty (30) days of age whose parent has knowingly and intentionally left the child with an emergency medical services provider and does not express an intent to return for the child.  
  
Emergency Medical Services Provider – a firefighter, law enforcement officer, paramedic, emergency medical technician, or other person who provides emergency medical services in the course of the person's employment.
- III. Emergency Medical Services Provider's Responsibilities
  1. An emergency medical services provider will, without a court order, take custody of a child who is, or appears to be, not more than thirty (30) days of age if:
    - a. The child is voluntarily left with the provider by the child's parent; and
    - b. The parent does not express an intent to return for the child.
  2. The EMS provider will perform any act necessary to protect the child's physical health or safety.
  3. Immediately after the EMS provider takes custody of an abandoned infant, the provider will notify the local Child Protective Service office.
- IV. Child Protective Services responsibilities
  1. The local CPS will assume the care, control and custody of the child immediately after receiving notice from the EMS provider of the abandoned infant. The person designated by the local CPS will be responsible for taking custody of the child from the EMS provider at the provider's location and deliver the child to the caregiver selected and approved by CPS.
  2. The local CPS will advise the local Office of the Department of Child Services attorney to request that the juvenile court do the following:
    - a. Authorize the filing of a petition alleging the child is a Child in Need of Services;
    - b. A detention hearing be held concurrently with the initial hearing;
    - c. Hold an initial hearing under IC 31-34-10 not later than the next business day after the child is taken into custody except as provided under 31-34-10-2.5.
  3. The local Office of the Department of Child Services will notify the EMS provider of the hearing for the abandoned infant. In addition to parties already identified under IC 31-34-21-4, the local Office of the Department of Child Services will notify the EMS provider, at least ten (10) days in advance, of a Periodic Case Review hearing and a Termination of Parental Rights hearing involving the abandoned infant.

**Protocol between the Community Health Care Providers  
And  
The Montgomery County Office of the Department of Child Services**

- Purpose:** To provide for appropriate reporting and recording of all cases of child abuse or neglect.
- General Information** This is a procedure for the mandatory reporting by Physicians and other hospital personnel where abuse or neglect of children under eighteen (18) years of age is suspected. According to IC 31-33-5-1, "an individual who has a reason to believe that a child is a victim of child abuse or neglect shall make a report..."
- Personnel:** All hospital employees
- Procedures:**
1. Any hospital employee who has reason to believe that a child is a victim of child abuse or neglect should immediately notify their Department Director or the Child Protective Service (CPS). "Reason to believe" means evidence which, if presented to an individual of similar background and training would cause the individual to believe that a child was abused or neglected.
  2. A member of the hospital's medical staff may make the oral report to CPS when a case of abuse or neglect is suspected. This staff member shall notify the person in charge of the area where the child is being treated.
  3. The CPS agency in the county in which the child lives should be contacted.
  4. The individual making such an oral report as identified in #1 or #2 above shall be responsible for the following actions:
    - a. Complete or cause to be completed a written report:
    - b. Notify the child's attending physician: and
    - c. Document on the chart that CPS was notified and the name of the Family Case Manager from CPS.
  5. A summary of X-rays and other medical care shall be sent to or picked up by CPS at the time the report is given, or as soon thereafter as possible.
  6. Child Protective Services shall, within thirty (30) days of the receipt of a child abuse report, send a follow-up report to the hospital administrator, or his designee.

7. There may be occasion when a child is taken into custody by a Case Manager from CPS and held for up to seventy-two (72) hours. The Case Manager from CPS may give authorization for medical treatment and should indicate whether the guarantor will be the Department of Child Services or the parents of the child in question.
8. When a report to CPS has been filed or an ongoing CPS investigation is being conducted on a child admitted to the hospital, the hospital may not release the child to the child's parent, guardian, custodian, or court approved placement until the hospital receives written authorization or a copy of a court order from the investigating CPS office indicating that the child may be released to such a person. A Fax will be acceptable with the original sent in the mail within twenty-four (24) hours.
9. Consensual sex between a child age fifteen (15) or under and another sex partner may be considered child molestation. This would apply to any pregnancy of a woman fifteen (15) years of age or under.
10. The Indiana Violent Crime Compensation Fund provides financial assistance to victims of violent crimes for medical treatment and psychological counseling. For cases treated in an Emergency Room, which involve sexual abuse, the staff member should request the guardian's written authorization to file an application for benefits from the Sex Crimes Victims Service Fund.
11. Any child under sixteen (16) years of age who has been the victim of a rape should be reported to CPS and the hospital Administrator, or his designee. If the child is sixteen (16) or seventeen (17), CPS can be notified if the child is in agreement.
12. Any mother under eighteen (18) whose pregnancy results from rape should have a report made to CPS.
13. Abandoned Infants: Based on IC 31-0-2-0.5, an abandoned infant is a child, who appears to be not more than thirty (30) days of age and whose parent knowingly and intentionally has left the child with an emergency medical services provider and did not express intent to return for the child.
  - a. An employee who is presented with such an infant shall confirm with the individual presenting the child of his / her intent to voluntarily leave the child with the emergency medical services provider.
  - b. If the person presenting the child should offer identifying information, this should be noted in the medical record. However, the person should not be pressed for this information if not offered.
  - c. An employee who is presented with such an infant shall follow the previously stated procedure in contacting CPS.
  - d. Per the protocol of the Montgomery County Department of Child Services, local CPS will assume care and custody of the child

immediately after receiving notice from the hospital staff member.

- e. The employee who receives the infant as in fourteen (14-a) will be notified of the initial hearing regarding the infant. That employee shall discuss the hearing notice with his / her immediate supervisor.

14. The law provides immunity from civil or criminal liability from any person, who in good faith:

- a. Makes a report of suspected child abuse or neglect.
- b. Takes or causes to be taken medical photographs or X-rays of the child.
- c. Participates in a judicial or other proceeding resulting from the report of abuse or neglect

15. All reports, written or oral, and photographs, X-rays, etc, shall be kept confidential in accordance with IC 31-11-18.

This agreement is entered into on this 5<sup>th</sup> day of January, 2007.

  
Local CPS Director

  
Hospital Designee